

**GIBBONS P.C.**

Karen A. Giannelli, Esq.  
Mark B. Conlan, Esq.  
Brett S. Theisen, Esq.  
One Gateway Center  
Newark, New Jersey 07102  
Telephone: (973) 596-4500  
Facsimile: (973) 596-0545  
E-mail: kgiannelli@gibbonslaw.com  
mconlan@gibbonslaw.com  
btheisen@gibbonslaw.com

*Counsel to the Debtors  
and Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

NEW ENGLAND MOTOR FREIGHT, INC.,  
*et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 19-12809 (JKS)

(Jointly Administered)

**NOTICE OF DEBTORS' MOTION FOR ORDER PURSUANT  
TO SECTIONS 105(a) AND 363(b) OF THE BANKRUPTCY  
CODE AND BANKRUPTCY RULES 2002(a)(3) AND  
9019 AUTHORIZING THE ESTABLISHMENT OF PROCEDURES TO  
COMPROMISE AND SETTLE CERTAIN ACCOUNTS RECEIVABLE  
AND OFFSET CERTAIN CUSTOMER CLAIMS RELATING THERETO**

**PLEASE TAKE NOTICE** that on **April 16, 2019 at 10:00 a.m. (ET)**, or as soon thereafter as counsel may be heard, the above-captioned debtors and debtors-in-possession (collectively, the "Debtors"), by and through their undersigned proposed counsel, shall move (the

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); MyJon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

“Motion”) before the Honorable John K. Sherwood, United States Bankruptcy Judge, in Courtroom 3D of the United States Bankruptcy Court for the District of New Jersey, 50 Walnut Street, 3rd Floor, Newark, New Jersey 07102, for entry of an order, for order pursuant to sections 105(a) and 363(b) of the Bankruptcy Code and Bankruptcy Rules 2002(a)(3) and 9019 authorizing the establishment of procedures to compromise and settle certain accounts receivable and offset certain customer claims relating thereto.

**PLEASE TAKE FURTHER NOTICE** that the Debtors shall rely upon the Motion. No brief is necessary as no novel issues of fact or law are presented by the Motion. A proposed form of order was also submitted therewith. Oral argument is requested in the event an objection is timely filed.

**PLEASE TAKE FURTHER NOTICE** that any objections to the Motion must (a) be in writing; (b) comply with the Bankruptcy Rules, the Local Rules, and other case management rules or orders of the Bankruptcy Court; and (c) state with particularity the legal and factual basis for the objection, and (d) be filed with the Clerk of the Bankruptcy Court together with proof of service thereof, and served so as to be actually received no later than **April 9, 2019 at 4:00 p.m.** **(ET)** (“Objection Deadline”) by:

- counsel to the Debtors, GIBBONS P.C., One Gateway Center, Newark, NJ 07102-5310, Attn: Karen A. Giannelli, Esq., Mark B. Conlan, Esq., Brett S. Theisen, Email: [kgiannelli@gibbonslaw.com](mailto:kgiannelli@gibbonslaw.com), [mconlan@gibbonslaw.com](mailto:mconlan@gibbonslaw.com), [btheisen@gibbonslaw.com](mailto:btheisen@gibbonslaw.com);
- counsel to the Official Committee of Unsecured Creditors, LOWENSTEIN SANDLER LLP, One Lowenstein Drive, Roseland, New Jersey 07068, Attn: Joseph J. DiPasquale and Mary E. Seymour, Email: [jdipasquale@lowenstein.com](mailto:jdipasquale@lowenstein.com), [mseymour@lowenstein.com](mailto:mseymour@lowenstein.com) and ELLIOTT GREENLEAF P.C., 1105 N Market St, 17th Fl., Wilmington, DE 19801-1216, Attn: Rafael X. Zahralddin and Jonathan M. Stemerman, Email: [rxza@elliottgreenleaf.com](mailto:rxza@elliottgreenleaf.com), [jms@elliottgreenleaf.com](mailto:jms@elliottgreenleaf.com); and
- *U.S. Trustee*: OFFICE OF THE UNITED STATES TRUSTEE, One Newark Center, 1085 Raymond Blvd., Suite 2100, Newark, NJ, Attn: Mitchell B. Hausman and

Peter J. D'Auria, Email: [Mitchell.B.Hausman@usdoj.gov](mailto:Mitchell.B.Hausman@usdoj.gov),  
[Peter.J.D'Auria@usdoj.gov](mailto:Peter.J.D'Auria@usdoj.gov).

**PLEASE TAKE FURTHER NOTICE** that court appearances will be required to prosecute any objections.

**PLEASE TAKE FURTHER NOTICE** that if any objections are filed in response to the Motion, a hearing will be held on **April 16, 2019 at 10:00 a.m. E.T.** before the Honorable John K. Sherwood, United States Bankruptcy Judge, in Courtroom 3D at the United States Bankruptcy Court for the District of New Jersey, Martin Luther King, Jr. Federal Building, 50 Walnut Street, Newark, NJ 07102.

**PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS TO THE RETENTION APPLICATIONS OR ADMINISTRATIVE FEE ORDER MOTION ARE TIMELY FILED, SERVED AND RECEIVED IN ACCORDANCE WITH THIS NONTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE APPLICATION WITHOUT FURTHER NOTICE OR HEARING.**

Dated: March 22, 2019  
Newark, New Jersey

Respectfully submitted,

**GIBBONS P.C.**

By: /s/ Brett S. Theisen  
Karen A. Giannelli, Esq.  
Mark B. Conlan, Esq.  
Brett S. Theisen, Esq.  
One Gateway Center  
Newark, New Jersey 07102  
Telephone: (973) 596-4500  
Facsimile: (973) 596-0545  
E-mail: [kgiannelli@gibbonslaw.com](mailto:kgiannelli@gibbonslaw.com)  
[mconlan@gibbonslaw.com](mailto:mconlan@gibbonslaw.com)  
[btheisen@gibbonslaw.com](mailto:btheisen@gibbonslaw.com)

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